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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Raul Raudales

Art Unit : 3749

Serial No. : 09/293,198

Examiner : Andrea M. Joyce

Filed : April 16, 1999

Title : VEGETABLE PRODUCT DRYING

Hon. Commissioner for Patents
Washington, D.C. 20231

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REQUEST TO VACATE NOTICE OF ABANDONMENT

Applicant hereby requests withdrawal of the Notice of Abandonment mailed January 2, 2001 (copy enclosed) because the application was not abandoned. The application was said to be abandoned under 37 CFR §1.135 for failure to respond to the Office Action mailed July 3, 2000.

The following documents are submitted as proof that a Response was timely filed on December 27, 2000:

1. A copy of the response to the Office Action, including an executed certificate of mailing signed by Charles Hieken on December 27, 2001;
2. A copy of the Petition for Extension of Time, including an executed certificate of mailing signed by Charles Hieken on December 27, 2000, which extended the period for responding to the Office Action for three months, to and including January 3, 2001;
3. A copy of the check dated December 27, 2000 and postcard that were included with the response and Petition for Extension of Time; and
4. A copy of the postcard stamped received by the PTO Mailroom on December 29, 2000.

Applicant submits that the response to the Office Action was timely filed and requests that the Notice of Abandonment be withdrawn.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

JUL 23 2001

Date of Deposit

Signature

Charles Hieken

Typed or Printed Name of Person Signing Certificate

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Attorney's Docket No.: 09879-003001

Please apply any charges or credits to Deposit Account No. 06-1050, Order No. 09879-003001.

Respectfully submitted,

FISH & RICHARDSON P.C.

Date: JUL 23 2001

Charles Hieken
Charles Hieken
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